Appl. No.:

10/731,745

Amdt. Dated:

09/26/2005

Off. Act. Dated: 05/25/2005

## REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Allowance of Claims.

The Applicant thanks the Examiner for allowing Claims 13-22.

2. Allowability of Claims.

The Applicant also thanks the Examiner for indicating that Claims 4, 5, 8, 24 and 30-35 would be allowable if amended into independent form to include all of the limitations of the base claim and any intervening claims. Accordingly, the Applicant responds as follows:

- Claim 4 has been amended into independent form, and is now allowable. (a)
- Claim 5 has been amended into independent form, and is now allowable. (b)
- (c) Claim 8 has been amended into independent form, and is now allowable.
- Claim 1 has been canceled. Claims 2, 3, 9, 10, and 12 have been (d) amended into multiple dependent form to depend from Claims 4, 5 and 8, and are therefore allowable. Claim 6 has been amended into multiple dependent form to depend from Claims 4 and 5, and is therefore allowable. Dependent Claims 7 and 11 are also allowable since they depend from allowable base claims.
- Claim 23 has been amended to include the limitations of Claim 24, and is (e) now allowable.
- Claim 24 has been canceled. Claims 25-29 are allowable since they (f) depend from an allowable base claim.
- Claim 30 has been amended into independent form to include the (g) limitations of Claims 23 and 27-29, and is now allowable.
- Claims 31-35 are allowable since they depend from an allowable base (h) claim.
  - The Applicant has amended Claims 29 and 34 to correct typographical (i)

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errors in those claims.

# Amendments Made Without Prejudice or Estoppel.

The Applicant has made these amendments in order advance prosecution. However, the Applicant does not acquiesce in the original ground for rejection with respect to the original form of these claims. These amendments have been made without any prejudice, waiver, or estoppel, and without forfeiture or dedication to the public, with respect to the original subject matter of the claims as originally filed or in their form immediately preceding these amendments. The Applicant reserves the right to pursue the original scope of these claims in the future, such as through continuation practice for example.

## 4. Conclusion.

In view of the above, Claims 2-23 and 25-35 recite allowable subject matter. Accordingly, the Applicant respectfully requests that the various grounds for rejection in the Office Action be withdrawn with respect to the presently amended form of the claims, and that a Notice of Allowance be issued for the present application to pass to issuance.

In the event any further matters remain at issue with respect to the present application, the Applicant respectfully requests that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this application.

Data:

Respectfully submitted,

John P. O'Banion, Reg. No. 33,201

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### **CERTIFICATION UNDER 37 CFR 1.8**

I hereby certify that the foregoing:

### Amendment

is being deposited with the United States Postal Service on <u>September 26, 2005</u> with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)

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